PTO/ SB/26 (08-03) Approved for use through 07/31/2006, OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of Information unless it displays a valid OMB control number.

650 855 5322

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional) R0130D-CON

In re Application of: Dillon et al. Application No. 10/823,012 Flied: March 13, 2004

For IMIDAZOLINYL ARALKYLSULFONAMIDES

The owner', Roche Palo Alto LLC of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,756,395. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the Instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the

| or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any<br>displaimer.   |                          |
|--|--------------------------|
| Check either box 1 or 2 below, if appropriate.   |                          |
| For submissions on behalf of an organization (e.g., corporation, partnership, university, government etc.), the undersigned is empowered to act on behalf of the organization.   | t agency,                |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements information and belief are believed to be true; and further that these statements were made with the knowle willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 100 18 of the United States Code and that such willful false statements may jeopardize the validity of the application patent issued thereon. | edge that<br>01 of Title |
| 2.   The undersigned is an attorney of record.  O5   | 5.10.2008                |
| Signature  | Date                     |
| Robert C. Hall, Reg. No. 39,209  |                          |
| Typed or printed name  |                          |
| 650-354-7540   |                          |
| Telophone Number   |                          |

☐ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the complete of application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Abasandris, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patente P.O. Box 1450, Alaxandris VA2231-1450. Patents, P.O. Box 1450, Alexandria, VA22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.